

IN THE CLAIMS:

1. (Currently Amended): An apparatus for preventing erroneous operation of an electro-motion pedal device in an automobile configured for varying positions of pedals by operating an electric-actuator in response to a switching manipulation of a driver, the apparatus comprising:

a shifting stage detecting unit for detecting shifting stages of a transmission;

a parking brake detecting unit for detecting a locked or unlocked state of a parking brake;

~~a controller for establishing an input parameter from the shifting stages detected by said shifting stage detecting unit and the locked state of said parking brake detected by said parking brake detecting unit, and inputting the input parameter into a pre-set map table, and outputting a control signal for allowing or not allowing an electronic adjusting of pedal positions in response to a result therefrom~~ based on the shifting stages and the locked or unlocked state of the parking brake; and

a switching unit for being switched by the control signal outputted from said controller to block or apply an operation power inputted from said electric-actuator.

2. (Currently Amended): The apparatus of claim 1 further comprising an engine start detecting unit for detecting ~~a running of an engine~~ an engine running condition, wherein said ~~controller establishes as an additional input parameter~~ control signal is further based on the engine running condition detected by said engine start detecting unit to input same into a pre-set map table and to calculate a result thereof.

3. (Original): The apparatus of claim 2, wherein said engine start detecting unit is an alternator for changing a rotational force of the engine to power, and said controller detects an output voltage of said alternator to discriminate whether an engine has started or not.

4. (Original): A method for preventing an erroneous operation of electro-motion pedal devices in automobiles configured for varying positions of pedals by operating an electric-actuator in response to a switching manipulation of a driver to thereby prevent an erroneous operation of an electro-motion pedal device in an automobile, wherein the method comprises the steps of:

detecting shifting stages;

detecting a locked state of a parking brake; and

applying an operating power to said electric actuator if said parking brake is in a locked state and a shifting stage is a neutral stage or a parking stage, and blocking the operating power if said parking brake is not in a locked state or a shifting stage is not a neutral or a parking stage ( power control step).

5. (Original): The method of claim 4 further comprising a step of detecting an engine start, wherein the power control step is carried out only when the engine has started.

6. (Currently Amended): A method for preventing an erroneous operation of electro-motion pedal devices in automobiles configured for varying positions of pedals by operating an electric-actuator in response to a switching manipulation of a driver to thereby prevent an erroneous operation of an electro-motion pedal device in an automobile, wherein the method comprises the steps of:

detecting shifting stages;

detecting a locked state of a parking brake; and

applying an operating power to said electric-actuator if a shifting stage is a parking stage or if a parking brake is in a locked state, and blocking the operating power to said electric-actuator if a shifting stage is not a parking stage and if a parking brake is not in a locked state (power control step).

7. (Currently Amended): The method of claim 6 further comprising a step of detecting an engine start, wherein the power control step is carried out only when the engine has not started.